

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

EXXON MOBIL CORPORATION

V.

CASE NO. 1:25-cv-00011-MJT

**ROBERT ANDRES BONTA A.K.A
ROB BONTA, IN HIS INDIVIDUAL
CAPACITY; SIERRA CLUB, INC.;
SURFRIDER FOUNDATION, INC.;
HEAL THE BAY, INC.; BAYKEEPER,
INC.; AND INTERGERATIONAL
ENVIRONMENT JUSTICE FUND LTD.**

AFFIDAVIT OF TRACY QUINN, PRESIDENT AND CEO OF HEAL THE BAY, INC.

STATE OF CALIFORNIA §
COUNTY OF LOS ANGELES §

Before me, the undersigned notary, on this day personally appeared Tracy Quinn, the affiant, a person whose identity is known to me. After I administered an oath, affiant testified as follows:

1. "My name is Tracy Quinn. I am over 18 years of age, of sound mind, and competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct."

2. "I am currently the President and CEO of Heal the Bay, Inc. ("Heal the Bay"). I have held those positions since May 2022."

3. "Heal the Bay is an environmental nonprofit that was established in 1985. Heal the Bay was incorporated in California and its' principal place of business is in Santa Monica, Los Angeles County, California. Heal the Bay does not have an office at any other location because Heal the Bay only serves the Greater Los Angeles area. All of its employees work in Los Angeles County, California.

4. "Heal the Bay's mission is to make the coastal waters and watersheds in Greater Los Angeles safe, healthy, and clean. Heal the Bay uses science, education, community action, and advocacy to fulfill its mission. We have beach cleanups in Los Angeles County. Heal the Bay also educates students in Los Angeles County by allowing field trips and camps at Heal the

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Bay's Aquarium, which is located in Santa Monica. Heal the Bay also engages in grassroots campaigns regarding California state propositions and city ordinances, such as Proposition 67 regarding a ban on plastic bags and Straws-on-Request, which was a City of Los Angeles ordinance."

5. I attended a press conference in San Francisco, California area related to the filing of the California complaint against Exxon Mobil. The statement in Paragraph 93 of ExxonMobil's Complaint was taken from a press release that was issued in conjunction with the filing of a lawsuit by a coalition of environmental groups against ExxonMobil in California. The press release makes no mention of Texas. The statement made was about single-use plastic pollution on the beaches and ocean in California.

6. "The press release referenced in Paragraph 93, n. 57 of Plaintiff's Complaint was drafted by me, Cameron Weeks, and Matt King. Cameron Weeks is an employee of Heal the Bay. Her job title is Communications Manager and she works in our office which is located in Santa Monica, California. Matt King is a communications consultant whose business name is MAY77 Communications. Matt King and MAY 77 Communications are based in Santa Monica, California."

7. "A true and correct copy of the original press release is attached hereto as exhibit A. I am familiar with the manner in which Heal the Bay's records are created and maintained by virtue of my duties and responsibilities. The records were made at, or near the time of each act, condition, opinion, or diagnosis was recorded. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth in the record. The records were kept in the course of regularly conducted business activity."

8. "We wrote the press release in our office in Santa Monica, California. Three sources were cited in the press release: (1) "The New Plastics Economy Rethinking the future of plastics" published by the World Economic Forum. The article has an address listed in Switzerland; (2) "How much of global greenhouse gas emissions come from plastics?" written by Hannah Ritchie and published at <https://ourworldindata.org/ghg-emissions-plastics>. According to the website, Our World in Data is a project of Global Change Data Lab, a nonprofit based in the United Kingdom; and (3) "A plateful of plastic" published by Reuters at <https://www.reuters.com/graphics/ENVIRONMENT-PLASTIC/0100B4TF2MQ/>. None of the sources we relied on were based in Texas and the research efforts that identified these articles was conducted exclusively in California.

9. "Heal the Bay posted the press release on our website at <https://healthebay.org/heal-the-bay-sues-big-plastic/>." The press release was also linked on Heal the Bay's social media accounts. Heal the Bay does not have any targeted advertising on its social media or website to Texas residents. Additionally, Heal the Bay sent the press release to California Reporters. Heal the Bay did not send the press release to any reporters based outside the state of California. The press release does not mention or reference Texas or ExxonMobil's operations in Texas. Heal the Bay's website and social media do not target Texas for marketing or advertising purposes"

10. "The press release contains a link to donate to support the lawsuit against ExxonMobil, but no donations were solicited or received from Texas Residents. Almost all donations for the campaign were highly localized to California. Additionally, the press release was not sent to any Texas resident or Texas corporation."

11. "Heal the Bay has not communicated with any person or entity that has or potentially may have contracts or potential business with ExxonMobil. Heal the Bay has no knowledge of any contracts that ExxonMobil may or may not have with entities and municipalities to recycle their used plastics, including but not limited to Houston Recycling Consortium and Cyclyx International, LLC. Heal the Bay has not communicated with either Houston Recycling Consortium or Cyclyx International, LLC. Heal the Bay has not spoken to any person, governmental agency, municipality, or entity regarding ExxonMobil's permits. Heal the Bay has not participated in any efforts that would affect ExxonMobil obtaining permits in Texas or placed "air tags" in plastic waste. Heal the Bay's sole focus is on the waters and beaches of Los Angeles County."

12. "Heal the Bay is not registered with the Texas Secretary of State. Heal the Bay does not have a registered agent for service of process in Texas. Heal the Bay does not have any employees, offices, chapters or bank accounts in Texas."

13. "Heal the Bay does not have a mailing address or telephone number in Texas. Heal the Bay's mailing address is 1444 9th St. Santa Monica, CA 90401. Heal the Bay's phone number is (310) 451-1500."


TRACY QUINN

SWORN to and ~~SUBSCRIBED~~ before me by Tracy Quinn on April __, 2025.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

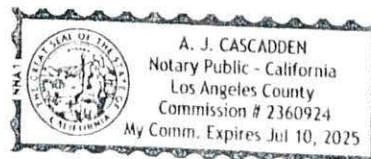
Subscribed and sworn to (or affirmed) before me on this 27 day

of April, 2025 by Tracy Quinn

 , proved to me on the basis
of satisfactory evidence to be the person(s) who appeared before me.

Signature _____ (Seal)

Notary Public in and for
The State of California



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Ex. 1